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CROWELL & MORING LLP
INTELLECTUAL PROPERTY GROUP
P.O. BOX 14300
WASHINGTON, DC 20044-4300

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In re Application of	:	OFFICE OF PETITIONS
Davis et al.	:	
Application No. 09/898,486	:	
Filed: July 5, 2001	:	ON PETITION
Title of Invention:	:	
IMPROVEMENTS IN PACKET	:	
SWITCHES	:	

This is a decision on the Petition Under PTO Rule 1.81 Requesting Withdrawal of the Holding Abandonment Based on Failure to Receive Office Action and Acceptance of Accompanying Payment of the Issue and Publication Fees, filed October 28, 2005. The petition is properly treated under 37 CFR 1.181. The delay in treating this petition is regretted.

The petition is **granted in part.**

The above-identified application became abandoned for failure to timely reply to the Notice of Allowance and Issue Fee Due and Notice of Allowability, mailed May 19, 2005. The Notices set a non-extendable three (3) month period for reply. No reply having been received, the above-identified application became abandoned August 20, 2005. A Notice of Abandonment was mailed October 13, 2005.

Applicant files the instant petition and avers non-receipt of the Notices. In support of this assertion, Applicant files the necessary statements and copies of the docket record where the non-received Notices would have been entered had they been received and docketed. Petitioner has demonstrated by a preponderance of the evidence that the Notice was not received.

Applicant also files responses to the Notice in the form of the issue and publication fees and corrected drawing(s). However,

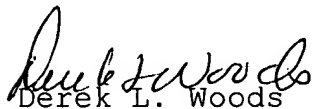
the corrected drawing filed with the instant petition have been objected to by the Draftsperson.

In view of the above, the petition is granted in so far as the Notice of Abandonment, indicating that the application is abandoned for failure to respond to the Notices, is hereby withdrawn. However, the application is not in condition for allowance.

No petition fee has been charged, and none is due.

The Notice of Abandonment is hereby withdrawn. The application file is being referred to Technology Center Art Unit 2151 for re-mailing of the Notice of Allowance and Issue Fee Due and Notice of Allowability.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.

A handwritten signature in black ink, appearing to read "Derek L. Woods".

Derek L. Woods
Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

Enclosure: Notice of Draftsperson's Patent Drawing Review